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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined fourth and fifth periodic reports of Croatia

Addendum

Information provided by Croatia in follow-up to the concluding observations*

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Note: The present document is being circulated in English, French and Spanish only.
* The present document is being issued without formal editing.

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19 Recalling its General Recommendation No. 19 (1992) on violence against women, the Committee urges the State party to:

a) Expeditiously ratify the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence

1. Recognizing the need to protect victims of domestic violence as a particularly vulnerable group, the Government of the Republic of Croatia has given particular attention to the area of domestic violence and the area of gender equality in the program for its mandate.

2. In line with the above the Ministry for Demography, Family, Youth and Social Policy as the central body in the field of protection against domestic violence, taking into account the value of the Council of Europe Convention on prevention and combating violence against women and domestic violence, has initiated the ratification process. In February 2017, a working group was set up to draw up a Draft Bill for ratification of the Convention. The working group consists of representatives of competent state bodies, civil society organizations and citizens' initiatives dealing with human rights and women's rights.

3. Consultations on the Draft Proposal for Assessing the Effects of Regulations for Drafting the Confirmations of the Istanbul Convention Bill were conducted on the Central State Portal and there was also a public consultation for 30 days as well as a public debate with the concerned public on the Draft Confirmation of the Convention Bill.

c) Abolish the practice of dual arrests in cases of domestic violence

4. Dual reporting arrests are not a common policing practice, but are isolated cases the number of which is negligible. The proportion of women as perpetrators of domestic violence amounts to 21.5 per cent, while the share of indictments filed simultaneously against both men and women is 9 per cent. The Ministry of the Interior is aware of the historical, cultural and social condition underlying the unequal status and relationship between men and women and is striving to continue to raise the level of professionalism of police through continues training and supervision of the police in terms of recognizing and prosecuting perpetrators of violence against victims offering self-defence.

5. The Gender Equality Ombudsperson and civil society organizations have been involved in the regular training of police officers regarding gender-based violence in order to further sensitize them to issues promoting women's rights and gender equality. In situations where the behaviour of individuals constitutes punishable acts, the police are obliged to apply their powers regardless of sex, taking into account vulnerable groups.

d) Amend its criminal legislation on domestic violence to ensure the provision of expeditious protection orders for victims while criminal proceedings are pending; and, also provide for civil protective measures that allow for both emergency, ex parte protective measures and/or long-term protective measures as appropriate

6. Pursuant to the Criminal Procedure Code, in cases where there are circumstances or grounds for investigative custody — for which it is possible to issue a prison sentence or for which a prison sentence has already been determined — the court and state attorney shall, by statement of reasons, determine the application of one or more alternative measures if the same purpose can be achieved by precautionary measures. The defendant will be then warned that if he does not comply with the determined measures they will be replaced by investigative custody. Precautionary measures such as the prohibition of approaching a particular person, a ban on establishing or maintaining contact with a particular person, a ban on detaining and harassing a victim or other person, or being removed from one's home, provide greater protection to the victim. Such precautionary measures may be ordered before and during criminal proceedings. Precautionary measures may last as long as there is a need for them up to the issuing of a final verdict.

e) Amend its Act on Protection from Domestic Violence to include all intimate partner relationships and past relationships where partners continue to pose the threat of violence within its scope

7. In the Republic of Croatia, the new Act on Protection form Domestic Violence was recently adopted. It is structured so that the circle of persons protected by this law is the same circle of persons protected by the Criminal Code in the case of the committing of offences related to domestic violence. The Act on Protection form Domestic Violence is fully in line with the Council of Europe Convention on preventing and combating violence against women and domestic violence.

8. The Government of the Republic of Croatia adopted the New National Strategy for Protection from Domestic Violence for the period 2017 to 2022, which consistently applies the provisions of the Istanbul Convention.

9. The Office for Gender Equality of the Government of the Republic of Croatia is in the process of completing the new Protocol on the Treatment of Sexual Violence.

31 The Committee urges the State party to:

b) Ensure universal coverage of abortion and modern contraception within the Health Insurance Fund

10. A large number of contraceptives are registered on the list of medicines that are funded by the Croatian Health Insurance Fund in various forms and dosages and are available in the same way as other medicine in pharmacies in the Republic of Croatia. The supply of these drugs to the Croatian market is well ordered.

11. As part of compulsory health insurance, it is possible to carry out an induced abortion if it has been medically prescribed by a specialist doctor due to the existence of medical indications. A medically indicated abortion for persons insured by the Croatian Health Insurance Fund is covered by the compulsory health insurance funds.